

Remarks

Claims 1-13, 15-31, 33, 35-52, 54-58 and 60-69 are pending in the present application.

The Examiner objected to Claims 33, 35-37 and 60-61, which have been amended to overcome the Examiner's objection.

The Examiner has rejected Claims 1-13, 15-31, 33, 35-52, 54-58 and 60-69 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,078,924 to Ainsbury et al. in view of Patent of Japan No. 11-096266 to Konata Kazunobu.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP 2143.

Claim 1 is directed to a computer-implemented method of locating one or more remote databases containing a desired type of data, comprising the steps of:

searching for at least one remote database accessible via a network of computer systems;
determining whether each remote database found during the searching is comprised of the desired type of data, wherein the desired type of data is time series data; and
storing location information for each remote database found during the searching if the remote database is comprised of the desired type of data.

Ainsbury in view of Konata does not disclose each and every element of amended Claim 1. Specifically, neither Ainsbury nor Konata discloses the step of determining whether each remote database found during the searching is comprised of time series data.

The Office Action incorrectly asserts that Ainsbury teaches the step of determining whether each remote database found during the searching is comprised of the desired type of data. To support this incorrect assertion the Office Action cites Figure 1, items 14-18 and section 1, Data Retrieval, col. 6, lines 40-67 to col. 7, lines 1-49. Figure 1 simply alludes to the a “Data Retrieval” function and enumerates different data types; it clearly does not disclose that the “Data Retrieval” function determines whether each of the enumerated data types (web, desktop, SQL, OLAP, Notes) is comprised of the desired type of data. In addition, the discussion of the “Data Retrieval” function at col. 6, lines 40-67 to col. 7, lines 1-49 does not disclose the step of determining whether each remote database found during the searching is comprised of the desired type of data. Rather, the discussion at col. 6, lines 40-67 to col. 7, lines 1-49 is directed to a method of searching across various data sources (e.g., the web, a desktop computer, a query to a SQL database, an OLAP query, or Lotus Notes) for specific data (e.g., companies selling virus protection software.) Nowhere in the cited passage, or elsewhere in Ainsbury, is there any disclosure of determining whether the specific information being searched for is a desired type of data.

The Office Action acknowledges that Ainsbury does not disclose that the desired type of data is time series data, and asserts that Konata discloses a database that includes time series data. Applicant concedes that Konata discloses a database that includes time series data. However, the claim limitation at issue is not “a database that includes time series data.” Rather, the claim limitation is the step of determining whether each remote database found during the searching is comprised of time series data. In Konata, it is already known that the database is comprised of time series data and, therefore, no determination is made as to whether the data is time series data.

To summarize, Claim 1 is not obvious in view of Konata because neither Ainsbury nor Konata, teach the step of determining whether each remote database found during the searching is comprised of time series data.

Furthermore, there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the teachings of Ainsbury and Konata. The Office Action states that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ainsbury by incorporating the time series data of Konata. The Office Action goes on to state that motivation to combine Ainsbury with Konata is to provide “enhanced and efficient data manipulation in the data management system.” Applicant submits that the Office Action has not carried the burden of making the prima facie case of obviousness and establishing a motivation to combine the Ainsbury and Konata references. Specifically, the Office Action does not articulate how combining the time series data of Konata with the data management system of Ainsbury would result in “enhanced and efficient data manipulation in the data management system.” Moreover, such motivation is not found in either the Ainsbury or the Konata reference. Indeed, Applicant submits that, in fact, one of ordinary skill in the art at the time of the invention, who was motivated to modify the data management system of Ainsbury in order to obtain “enhanced and efficient data manipulation” would not consider the Konata reference. Konata is simply not concerned with data management; rather, Konata is directed to a method and device for estimating the amount of funds needed by an automated teller machine.

Claims 2-13, 15-31, 33, 35-48 all depend on Claim 1 and are allowable because Claim 1 is allowable.

With respect to independent Claim 49, neither Ainsbury nor Konata disclose a computer-implemented method of identifying one or more remote databases that contain a desired type of data that includes the step of storing an indication of whether each remote database found during the searching is comprised of the desired type of data, wherein the desired type of data is time series data.

With respect to Claim 50, neither Ainsbury nor Konata disclose a memory for storing information relating to at least one remote database accessible via a network of computer systems, the at least one remote database being comprised of a desired type of data, the memory comprising a data structure that includes location information for at least one remote database, the location information being stored if the at least one remote database is comprised of the desired type of data, wherein the desired type of data is time series data. Claims 51-52, 54-58 and 60-67 all depend on Claim 50 and are allowable because Claim 50 is allowable.

Independent Claim 68 is directed to a computer readable media comprising software for instructing a computer system to determine whether each remote database found during the searching is comprised of the desired type of data, wherein the desired type of data is time series data. Claim 68, therefore, is allowable over the cited prior art for the same reasons that Claim 1 is allowable. In addition, Ainsbury nor Konata disclose a computer readable medium comprising software for instructing a computer to determine whether each remote database found during the searching is comprised of the desired type of data, wherein the desired type of data is time series data.

With respect to Claim 69, neither Ainsbury nor Konata disclose a computerized apparatus for locating one or more remote databases containing a desired type of data wherein location

information is stored in a computer if a remote database is comprised of the desired type of data, wherein the desired type of data is time series data.

Certain of the Claims that depend on Claims 1 and 50 are allowable for the following additional reasons. With respect to Claim 38-40, the cited passages from Ainsbury (col. 10, lines 50-67 to col. 11, lines 1-23, col. 13, lines 21-67 to col. 14, lines 1-59) do not disclose the steps of determining whether the time series of data is redundant of a series of data for which information has already been stored (Claim 38), not storing information about the time series of data if the time series of data is redundant of a series of data for which information has already been stored (Claim 39), and storing information about the time series of data if the time series of data is not redundant of a series of data for which information has already been stored (Claim 40).

With respect to Claim 41, the cited passages of Ainsbury (col. 13 lines 21-67 to col. 14 lines 1-59, col. 8, lines 50-67 to col. 9, lines 1-49) do not disclose the steps of “determining whether a correlation exists between at least some of the data of the desired type contained in the at least one remote database and at least some of the data of the desired type contained in a predefined data set, and if the correlation exists, storing an indication of the correlation in association with the stored location information for the at least one remote database.”

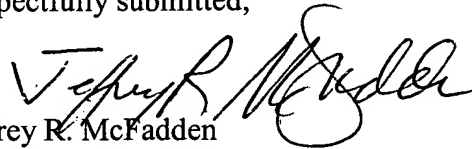
The Office Action states that with respect to claims 1, 20-22, 31, 33, 49-52 and 68-69, Ainsbury discloses “searching for at least one database key identifies the at least on remote database accessible via a network of computer systems” Office Action at 3 (emphasis added). The underlined language in the preceding sentence, however, does not appear in claims 1, 20-22, 31, 33, 49, or 68-69. The language “a database key, wherein the database key uniquely identifies the at least one remote database,” is contained in claim 50, and it is assumed that the Office Action’s discussion of a “database key [that] identifies the at least one remote

database” pertains to Claims 50 –52. Nevertheless, the cited passages from Ainsbury (section 1, Data Retrieval, col. 6, lines 40-67 to col. 7, lines 1-49, col. 10, lines 50-67 to col. 11, lines 1-23) do not disclose a data structure that includes a database key, wherein the database key uniquely identifies the at least one remote database.

Conclusion

Applicants believe that this case is now in condition for an immediate allowance, and such action is respectfully requested. If any issue remains unresolved, Applicants’ counsel would appreciate the opportunity for a telephone interview to expedite allowance.

Respectfully submitted,


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